

AO 399 (01/09) Waiver of the Service of Summons

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

<u>Town of Tewksbury, Massachusetts</u>	)	
<i>Plaintiff</i>	)	
v.	)	
<u>Amerisourcebergen Drug Corp., et al.</u>	)	Civil Action No. 1:19-op-45077
<i>Defendant</i>	)	

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.


I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: February 22, 2019

Amerisourcebergen Drug Corporation  
*Printed name of party waiving service of summons*

  
*Signature of the attorney or unrepresented party*

Shannon E. McClure  
*Printed Name*

Reed Smith LLP  
Three Logan Square, Suite 1300  
Philadelphia, PA 19103  
*Address*

smcclure@reedsmith.com  
*E-mail Address*

(215) 851-8100  
*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 2/21/2019Cardinal Health, Inc.*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Emily Pistilli*Printed Name*Williams & Conolly LLP  
725 Twelfth Street, NW  
Washington, DC 20005*Address*epistilli@wc.com*E-mail Address*(202) 434-5652*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: APR 03 2019

McKesson Corporation

*Printed name of party waiving service of summons*

  
*Signature of the attorney or unrepresented party*

Nathan Shafroth

*Printed Name*

Covington & Burling LLP  
One Front Street, Suite 3500  
San Francisco, CA 94111

*Address*

nshafroth@cov.com

*E-mail Address*

(415) 591-7053

*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 02/22/2019Purdue Pharma LP*Printed name of party waiving service of summons*/s/ Hayden Coleman*Signature of the attorney or unrepresented party*Hayden Coleman*Printed Name*Dechert LLPThree Bryant Park, 1093 Avenue of the  
AmericasNew York, NY 10036-6797*Address*hayden.coleman@dechert.com;sam.rosen@dechert.com*E-mail Address*212-698-3500*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To:

James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

Purdue Pharma LP

Hayden Coleman

Dechert LLP

Three Bryant Park, 1093 Avenue of the  
Americas  
New York, NY 10036-6797  
hayden.coleman@dechert.com,  
sam.rosen@dechert.com  
212-904-2600

a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 02/22/2019Purdue Pharma, Inc.*Printed name of party waiving service of summons*/s/ Hayden A. Coleman*Signature of the attorney or unrepresented party*Hayden A. Coleman*Printed Name*Dechert LLPThree Bryant Park, 1093 Avenue of the  
AmericasNew York, NY 10036-6797*Address*hayden.coleman@dechert.com;sam.rosen@dechert.com*E-mail Address*212-698-3500*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file

AO 399 (01/09) Waiver of the Service of Summons

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UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

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Civil Action No. 1:19-op-45077

**WAIVER OF THE SERVICE OF SUMMONS**

To:

James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

Purdue Pharma, Inc.

Hayden A. Coleman

Dechert LLP

Three Bryant Park, 1093 Avenue of the  
Americas  
New York, NY 10036-6797  
hayden.coleman@dechert.com,  
sam.rosen@dechert.com  
212-904-6600

a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 02/22/2019The Purdue Frederick Company, Inc.*Printed name of party waiving service of summons*/s/ Hayden A. Coleman*Signature of the attorney or unrepresented party*Hayden A. Coleman*Printed Name*

Dechert, LLP

Three Bryant Park, 1093 Avenue of the  
Americas

New York, NY 10036-6797

*Address*

Hayden.coleman@dechert.com;

sam.rosen@dechert.com

*E-mail Address*

(212) 698-3500

*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file



AO 399 (01/09) Waiver of the Service of Summons

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UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

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Civil Action No. 1:19-op-45077

**WAIVER OF THE SERVICE OF SUMMONS**

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

The Purdue Frederick Company, Inc.

Hayden A. Coleman

Dechert, LLP

Three Bryant Park, 1093 Avenue of the  
Americas  
New York, NY 10036-6797  
Hayden.coleman@dechert.com,  
sam.rosen@dechert.com  
(212) 698-7330

a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/21/2019Watson Laboratories, Inc.*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Evan K. Jacobs*Printed Name*Morgan, Lewis & Bockius, LLP  
1701 Market Street  
Philadelphia, PA 19103*Address*evan.jacobs@morganlewis.com*E-mail Address*(215) 963-5329*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/21/2019

Cephalon, Inc.

*Printed name of party waiving service of summons*



*Signature of the attorney or unrepresented party*

Evan K. Jacobs

*Printed Name*

Morgan, Lewis, & Bockius, LLP  
1701 Market Street  
Philadelphia, PA 19103

*Address*

evan.jacobs@morganlewis.com

*E-mail Address*

(215) 963-5329

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/21/2019Teva Pharmaceuticals USA, Inc.*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Evan K. Jacobs*Printed Name*Morgan, Lewis & Bockius, LLP  
1701 Market Street  
Philadelphia, PA 29103*Address*evan.jacobs@morganlewis.com*E-mail Address*(215) 963-5329*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

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## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/21/2019Actavis Pharma, Inc. f/k/a Watson Pharma, Inc.*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Evan K. Jacobs*Printed Name*Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103*Address*evan.jacobs@morganlewis.com*E-mail Address*215-963-5329*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

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## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

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Date: 2/21/2019Actavis LLC*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Evan K. Jacobs*Printed Name*Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103*Address*evan.jacobs@morganlewis.com*E-mail Address*215-963-5329*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

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UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/15/2019

Johnson & Johnson

*Printed name of party waiving service of summons*

*Signature of the attorney or unrepresented party*

Jennifer Cardelus

*Printed Name*

O'Melveny & Myers LLP  
400 South Hope Street  
Los Angeles, CA 90071

*Address*

jeardelus@omm.com; skemp@omm.com

*E-mail Address*

(213) 430-6000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/15/2019Janssen Pharmaceuticals, Inc.*Printed name of party waiving service of summons**Nella D. Kim / SKK*  
*Signature of the attorney or unrepresented party**Nella D. Kim*  
*Jennifer Cardelus**Printed Name*O'Melveny & Myers LLP  
400 South Hope Street  
Los Angeles, CA 90071*Address**slam*  
*jcardelus@omm.com; skemp@omm.com**E-mail Address*(213) 430-6000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/15/2019Janssen Pharmaceutica, Inc. n/k/a Janssen*Printed name of party waiving service of summons*

Pharmaceuticals, Inc.

Stella D. Kim / SKK  
*Signature of the attorney or unrepresented party*Stella D. Kim  
Jennifer Cardelus*Printed Name*O'Melveny & Myers LLP  
400 South Hope Street  
Los Angeles, CA 90071*Address*skemp  
jcardelus@omm.com; skemp@omm.com*E-mail Address*(213) 430-6000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/15/2019

Ortho-McNeil-Janssen Pharmaceuticals, Inc.

*Printed name of party waiving service of summons*

n/k/a Janssen Pharmaceuticals, Inc.

*Signature of the attorney or unrepresented party*

Jennifer Cardelus

*Printed Name*

O'Melveny & Meyers, LLP  
400 South Hope Street  
Los Angeles, CA 90071

*Address*

jcardelus@omm.com; skemp@omm.com

*E-mail Address*

(213) 430-6000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/25/2019

Noramco, Inc.

*Printed name of party waiving service of summons*

*Signature of the attorney or unrepresented party*

Daniel G. Jarcho

*Printed Name*

Alston & Byrd, LLP  
950 F Street NW  
Washington, DC 20004

*Address*

daniel.jarcho@alston.com

*E-mail Address*

(202) 239-3254

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 3/13/2019

Endo Health Solutions Inc.

*Printed name of party waiving service of summons*

/s/ Sean Morris

*Signature of the attorney or unrepresented party*

Sean Morris

*Printed Name*

Arnold & Porter Kaye Scholer LLP  
777 South Figueroa Street, Ste. 4400  
Los Angeles, CA 90017

*Address*

sean.morris@apks.com

*E-mail Address*

(213) 243-4000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file

UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

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Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 3/13/2019

Endo Pharmaceuticals Inc.

*Printed name of party waiving service of summons*

/s/ Sean Morris

*Signature of the attorney or unrepresented party*

Sean Morris

*Printed Name*

Arnold & Porter Kaye Scholer LLP  
777 South Figueroa Street, Ste. 4400  
Los Angeles, CA 90017

*Address*

sean.morris@apks.com

*E-mail Address*

(213) 243-4000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/13/2019Par Pharmaceutical Companies, Inc.*Printed name of party waiving service of summons*/s/ Sean Morris*Signature of the attorney or unrepresented party*Sean Morris*Printed Name*Arnold & Porter Kaye Scholer LLP  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017*Address*sean.morris@arnoldporter.com*E-mail Address*213-243-4000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

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Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 3/13/2019

Par Pharmaceutical, Inc.

*Printed name of party waiving service of summons*

/s/ Sean Morris

*Signature of the attorney or unrepresented party*

Sean Morris

*Printed Name*

Arnold & Porter Kaye Scholer LLP  
777 S. Figueroa Street, 44th Floor  
Los Angeles, CA 90017

*Address*

sean.morris@arnoldporter.com

*E-mail Address*

213-243-4000

*Telephone number*

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
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Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 2/20/2019/s/ Timothy W. KnappAllergan Finance, LLC f/k/a Actavis Inc., f/k/a*Printed name of party waiving service of summons*Watson Pharmaceuticals, Inc.*Signature of the attorney or unrepresented party*Timothy W. Knapp*Printed Name*Kirkland & Ellis LLP  
300 North LaSalle  
Chicago, IL 60654*Address*timothy.knapp@kirkland.com;  
michael.lefevour@kirkland.com*E-mail Address*312-862-2000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/21/19Mallinckrodt LLC*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Andrew O'Connor*Printed Name*Ropes & Gray, LLP  
Prudential Tower, 800 Boylston Street  
Boston, MA 02199-3600*Address*Andrew.O'Connor@ropesgray.com*E-mail Address*(617) 951-7000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: 3/21/19SpecGX LLC*Printed name of party waiving service of summons**Signature of the attorney or unrepresented party*Andrew O'Connor*Printed Name*Ropes & Gray LLP  
Prudential Tower 800 Boylston Street  
Boston, MA 617-951-7000*Address*Andrew.O'Connor@ropesgray.com*E-mail Address*617-951-7000*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



AO 399 (01/09) Waiver of the Service of Summons

# UNITED STATES DISTRICT COURT

for the  
Northern District of Ohio

Town of Tewksbury, Massachusetts

*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.

*Defendant*

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson

*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from ~~02/19/19~~, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent. *See memo - 1*

Date: 3/15/19

Insys Therapeutics, Inc.

*Printed name of party waiving service of summons*

*Signature of the attorney or unrepresented party*

Joseph L. Franco

*Printed Name*

Holland & Knight LLP  
2300 U.S. Bancorp Tower, 111 S.W. Fifth  
Avenue  
Portland, OR 97204

*Address*

joe.franco@hklaw.com

*E-mail Address*

(503) 243-2300

*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

AO 399 (01/09) Waiver of the Service of Summons [MODIFIED]

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

Town of Tewksbury, Massachusetts,

Plaintiff

v.

Amerisourcebergen Drug Corp. et al.

Defendant

Civil Action No. 1:19-op-45077

WAIVER OF THE SERVICE OF SUMMONS

JAMES C. PETERSON

To:

(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date:

2/27/19

CVS HEALTH CORPORATION, Individually and  
d/b/a CVS Pharmacy, Inc.

Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

Jason Acton

Printed name

Zuckerman Spaeder LLP  
1800 M Street N.W., Suite 1000  
Washington, DC 20036

Address

jacton@zuckerman.com

E-mail address

(202) 778-1860

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

## UNITED STATES DISTRICT COURT

for the  
Northern District of OhioTown of Tewksbury, Massachusetts*Plaintiff*

v.

Amerisourcebergen Drug Corp., et al.*Defendant*)  
)  
)  
)  
)  
)

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 02/19/19, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgement will be entered against me or the entity I represent.

Date: February 25, 2019H. D. Smith, LLC f/k/a H. D. Smith Wholesale Drug Co.*Printed name of party waiving service of summons*/s/ Kathleen L. Matsoukas*Signature of the attorney or unrepresented party*Kathleen L. Matsoukas*Printed Name*Barnes & Thornburg, LLP  
11 South Meridian Street  
Indianapolis, IN 46204*Address*kathleen.matsoukas@btlaw.com*E-mail Address*317-236-1313*Telephone number*

## Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.



# UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_ District of \_\_\_\_\_

\_\_\_\_\_  
*Plaintiff*

v.

\_\_\_\_\_  
*Defendant*

)  
)  
) Civil Action No.  
)

) This document applies to: See attached case list

## WAIVER OF THE SERVICE OF SUMMONS

To: \_\_\_\_\_  
*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: \_\_\_\_\_

  
\_\_\_\_\_  
*Signature of the attorney or unrepresented party*

\_\_\_\_\_  
*Printed name of party waiving service of summons*

\_\_\_\_\_  
*Printed name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*E-mail address*

\_\_\_\_\_  
*Telephone number*

### Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

<b>Plaintiff</b>	<b>MDL Civil Action No.</b>
Town of Dedham, MA	1:19-op-45039
Town of Athol, MA	1:19-op-45058
Town of Rehoboth, MA	1:19-op-45059
Town of Fairhaven, MA	1:19-op-45060
Town of Norwood, MA	1:19-op-45601
Town of Brookline, MA	1:19-op-45062
Town of Scituate, MA	1:19-op-45063
Town of Orange, MA	1:19-op-45070
Town of Tewksbury, MA	1:19-op-45077

**MODIFIED**

AO 399 (01/09) Waiver of the Service of Summons

**UNITED STATES DISTRICT COURT**

for the

Northern District of Ohio

Town of Tewksbury, Massachusetts,

*Plaintiff*

v.

Amerisourcebergen Drug Corporation, et al.

*Defendant*

Civil Action No. 1:19-op-45077

**WAIVER OF THE SERVICE OF SUMMONS**To: JAMES C. PETERSON*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

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I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

The Court's moratorium on all filings includes a moratorium on the filing of answers or motions under Rule 12. Defendants will not answer or move under Rule 12 unless so ordered by the Court. The failure to file an answer or motion under Rule 12 will not be grounds for a default judgment.

Date: 03/24/2018/s/ Tara A. Fumerton*Signature of the attorney or unrepresented party*Walmart Inc. and Wal-Mart Stores East, LP*Printed name of party waiving service of summons*Tara A. Fumerton*Printed name*
Jones Day  
77 W. Wacker Dr.  
Chicago, IL 60601
*Address*tfumerton@jonesday.com*E-mail address*(312) 782-3939*Telephone number***Duty to Avoid Unnecessary Expenses of Serving a Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

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AO 399 (01/09) Waiver of the Service of Summons - MODIFIED

# UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

Town of Tewksbury, Massachusetts

Plaintiff

v.

Amerisourcebergen Drug Corporation, et al.

Defendant

Civil Action No. 1:19-op-45077

## WAIVER OF THE SERVICE OF SUMMONS

To: James C. Peterson

(Name of the plaintiff's attorney or unrepresented plaintiff)

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Date: March 8, 2019

Walgreens Boots Alliance, Inc.

Printed name of party waiving service of summons

Signature of the attorney or unrepresented party

Kaspar J. Stoffelmayr

Printed name

Bartlit Beck Herman Palenchar & Scott LLP  
54 W. Hubbard St., Ste. 300  
Chicago, IL 60654

Address

kaspar.stoffelmayr@bartlit-beck.com

E-mail address

(312) 494-4400

Telephone number

### Duty to Avoid Unnecessary Expenses of Serving a Summons

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